

Message Text

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41

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TO AMEMBASSY MOSCOW
INFO AMCONSUL LENINGRAD
USDOC

C O N F I D E N T I A L STATE 120622

USDOC FOR MARAD AND BEWT

E.O. 11652:

TAGS: US, UR, EWWT

SUBJECT: SOVIET "PRIVATE" SHIPPING CORPORATION

REF: A) MOSCOW 6952 B) STATE 210160 C) MOSCOW 13456 OCT. 73

1. IF QUESTION OF SOVIET SHIPPING CORPORATION RAISED AGAIN EITHER BY SOVIETS OR US NATIONAL ON THEIR BEHALF, EMBASSY MIGHT ADD TO WHAT IT CORRECTLY TOLD LAZAAR HENKIN THAT MATTER SHOULD BE DEALT WITH IN MARITIME RATHER THAN USUAL COMMERCIAL CHANNELS.

2. FYI: THE QUESTION OF PERMISSION FOR THE SOVIETS TO ESTABLISH A SHIPPING CORPORATION IN THE UNITED STATES HAS BEEN AN ISSUE IN US-USSR MARITIME TALKS SINCE THE FALL OF 1973; SEE REF B AS WELL AS STOESSEL'S LETTER TO BLACKWELL OF OCTOBER 11, 1973. THESE REFERENCES CONTAIN THE ESSENCE OF AGREED USG POSITION ON DEALING WITH THIS SPECIFIC SOVIET PROPOSAL. IN BRIEF, SOVIET DESIRE TO SET UP SUCH A CONFIDENTIAL

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CORPORATION HAS PROVED A USEFUL BARGAINING CHIP FOR THE AMERICAN SIDE IN THE MARITIME TALKS.

3. FYI: FROM TIME TO TIME OVER PAST TWO YEARS THE SOVIETS

HAVE ATTEMPTED (UNSUCCESSFULLY) TO SEPARATE THE QUESTION
OF ESTABLISHING A SHIPPING CORPORATION FROM THE MARITIME

NEGOTIATIONS. PLOY USED IN FEBRUARY 1974 WAS TO ENGAGE
NY LEGAL FIRM TO EXPLAIN TO DEPARTMENT THAT THERE WERE
NO US LAWS WHICH WOULD PROHIBIT THE SOVIETS FROM
CHARTERING FIRM UNDER STATE LAW (NEW YORK OR DELAWARE
WAS MENTIONED) WITHOUT DEPARTMENT APPROVAL. WE EXPLAINED
TO THE LEGAL FIRM A) WE DOUBTED SOVIETS WOULD SEEK TO
ESTABLISH A CORPORATION IN US WITHOUT OUR EXPRESS
AGREEMENT, AND B) ISSUANCE OF VISAS AND CONTROL OVER
TRAVEL OF SOVIETS ASSIGNED TO US CAME UNDER FEDERAL AND
NOT STATE JURISDICTION. IN OUR VIEW, CURRENT ISSUE IS
NOT RELATED TO THE SOVIET REQUEST AT THE JOINT COMMERCIAL
COMMISSION FOR US APPROVAL IN PRINCIPLE TO OPEN TRADING
OFFICES IN THE US. INGERSOLL

CONFIDENTIAL

<< END OF DOCUMENT >>

Message Attributes

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